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Attorneys for Defendant Bank of America, N.A

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

MY HOME NOW, LLC, a Nevada Limited
Liability Company

Plaintiff,

vs.

BANK OF AMERICA, N.A., SUCCESSOR BY
MERGER TO BAC HOME LOANS
SERVICING, LP FKA COUNTRYWIDE
HOME LOANS SERVICING, LP, a National
Banking Corporation and DOES I through X,
inclusive; ROE ENTITIES XI through XX,

Defendants.

Case No. 2:14-cv-01957-RFB-CWH

**STIPULATION AND PROPOSED ORDER
TO EXTEND DISCOVERY NINETY
DAYS**

(First Request)

Defendant Bank of America, N.A. (**BANA**), and Plaintiff My Home Now, LLC (**Plaintiff**) respectfully submit the following stipulation requesting a 90 day extension of the current scheduling order deadlines.

I. INTRODUCTION.

On October 6, 2014, Plaintiff filed a complaint asserting claims for declaratory relief/quiet title, unjust enrichment, and preliminary and permanent injunction. BANA removed this action to federal court on November 24, 2014. ECF No. 1.

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1 **II. DISCOVERY STATUS.**

2 A. Discovery that has been completed.

- 3 1. BANA served its initial disclosures on February 5, 2015.
- 4 2. BANA served its Initial Expert Disclosure on March 25, 2015.
- 5 3. BANA served a subpoena for document production to Westpark HOA on
- 6 January 15, 2015.
- 7 4. BANA served a subpoena for document production to Nevada Association
- 8 Services on January 15, 2015.

9 B. Discovery that remains.

- 10 1. Depositions of fact witnesses.
- 11 2. Depositions of 30(b)(6) witnesses including the 30(b)(6) witness for all
- 12 parties.
- 13 3. Depositions of expert witnesses.
- 14 4. Written discovery

15 C. Pending Motions

16 Federal National Mortgage Association, and Federal Housing Finance Agency (**Intervenors**)

17 filed a motion to intervene on February 24, 2015, 2013. ECF No. 14. Plaintiff filed a response on

18 April 24, 2014. ECF No. 16. Intervenors filed a Reply on March 27, 2015 ECF No. 20. The court

19 has not yet ruled on this motion.

20 **III. REASON WHY EXTENSION IS REQUIRED.**

21 The parties have diligently participated in discovery in this case. Despite their efforts, the

22 parties believe an extension of ninety days is necessary in this case. BANA is in the process of

23 collecting records from the homeowners association and homeowners association trustee. BANA

24 needs to take the deposition of Plaintiff, the 30(b)(6) witness for the HOA, the 30(b)(6) witness for

25 HOA trustee.

26 Additionally, the parties are awaiting a ruling on motion to intervene. The intervenors will

27 likely want to participate in discovery as well. The parties consequently agree that a discovery

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extension of 90 days is appropriate and is necessary to thoughtfully and efficiently address the issues presented.

IV. PROPOSED SCHEDULE.

1. Discovery Cut-Off Date. The parties agree that discovery will be extended ninety-one days from May 25, 2015 to *Monday, August 23, 2015.*
2. Experts.
 - a. Initial Experts: This deadline passed on March 25, 2015. The parties are not requesting an extension of this deadline.
 - b. Rebuttal Experts: This deadline is scheduled to pass on April 24, 2015. The parties are not requesting an extension of this deadline.
3. Amending the Pleadings and Adding Parties. The deadline to amend pleadings and add parties passed on March 25, 2015. Accordingly, the parties do not seek to extend this deadline.
4. Interim Status Report. The parties shall file the interim status report required by LR 26-3 by *Thursday, June 25, 2015.* The undersigned counsel certify that they have read LR 26-3 and that this date is sixty-two days before the proposed discovery cut-off date. (60 days falls on a weekend).
5. Dispositive Motions. The parties shall have until *Wednesday, September 23, 2015* to file dispositive motions, which is thirty-two days after the discovery cut-off date. (30 days falls on a weekend).
6. Pretrial Order. The pretrial order shall be filed by *Friday, October 23, 2015*, which is thirty days after the date set for filing dispositive motions in the case. In the event a timely dispositive motion is filed, the deadline to submit the pretrial order shall be suspended until thirty days after a decision on such motion.

The parties believe that the 90 day extension is necessary and appropriate to provide sufficient

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time for discovery, regarding the Plaintiff's claims for substantial damages.

DATED this 11th day of May, 2015.

DATED this 11th day of May, 2015.

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THE WRIGHT LAW GROUP

/s/ William S. Habdas

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ORDER

IT IS SO ORDERED:


UNITED STATES MAGISTRATE JUDGE

DATED: May 12, 2015

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